

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

EFS&T Department- Renewal of mining lease over an extent of 16.19 ha. in Sy.No.553 of Chaganam Village and Sy No.357 of Utukur Village in Sydapuram Mandal, Nellore District, in favour of M/s. Amrutesh Mining Company - Permission accorded - Orders - Issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (Section-II) DEPARTMENT

G.O Ms.No.74

Dated:06-11-2017.

Read the following:-

1. From PCCF& HoFF, AP, Lr Rc.No.43626/97/F2, Dt.26-02-1998.
2. State Govt. Lr.No.2152/For-I/1998, Dt.30-4-1998.
3. From GoI, MoEF& C.C, Lr.No.F©A/16.1/AP/45/MIN/1937, Dt.6-10-2000.
4. State Govt. Lr.No.2191/For-I/2004-3, Dt.31-7-2007.
5. From GoI, MoEF& C.C, Lr.No. F©A/16.1/AP/45/MIN/1461, Dt.12-9-2017.

ORDER:

The Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, in his letter 1st read above, has submitted a proposal under Forest (Conservation) Act, 1980, for renewal of mining lease over an extent of 16.19 ha. in Sy.No.553 of Chaganam Village and Sy No.357 of Utukur Village in Sydapuram Mandal, Nellore District, in favour of M/s. Amrutesh Mining Company and requested to forward the same to Government of India, Ministry of Environment, Forests & Climate Change, for according necessary approval under Section-2 of Forest (Conservation) Act, 1980.

2. The said proposal was sent to Government of India, Ministry of Environment, Forests & Climate Change, for their approval under Section-2 of Forest (Conservation) Act, 1980 vide State Government letter 2nd read above.

3. Government of India, Ministry of Environment, Forests & Climate Change, vide their letter 3rd read above, have accorded in-principle (Stage-I) approval under Section-2 of Forest (Conservation) Act, 1980, for the proposal, subject to compliance of certain conditions as stipulated therein. Accordingly, the State Government vide letter 4th read above, have furnished compliance report on the conditions stipulated by the Government of India, Ministry of Environment, Forests & Climate Change, while according in-principle (Stage-I) approval. The State Government vide further letter dated.2-8-2016 have furnished certain additional information as desired by the Government of India.

4. Government of India, Ministry of Environment, Forests & Climate Change, in their letter 5th read above, have accorded (Stage-II) approval under Section-2 of Forest (Conservation) Act, 1980, for renewal of mining lease over an extent of 16.19 ha. in Sy.No.553 of Chaganam Village and Sy No.357 of Utukur Village in Sydapuram Mandal, Nellore District, in favour of M/s. Amrutesh Mining Company, subject to certain conditions as stipulated therein.

5. Government after careful examination of the proposal, hereby accord permission to the Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, for renewal of mining lease over an extent of 16.19 ha. in Sy.No.553 of Chaganam Village and Sy No.357 of Utukur Village in Sydapuram Mandal, Nellore District, in favour of M/s.Amrutesh Mining Company, subject to the following conditions:-

- i. Legal status of the forest land shall remain unchanged.
- ii. The demarcation of the proposed forest area shall be carried out by erecting 4 feet high cement concrete pillars duly numbered at an interval of 20 meters at the cost of user agency. User Agency shall ensure demarcation of boundary of safety zone (7.5 meter strip all along the outer boundary within the mining lease area);

- iii. In case of mining leases adjoining the habitation stretch of the boundary of the safety zone of the lease adjacent to the habitation /roads should be properly fenced by the user agency at the project cost to protect the vegetation / regeneration activities in the safety zone;
- iv. Safety zone shall be maintained as green belt around the mining lease and to ensure dense canopy cover in the area, regeneration shall be taken in this area by the user agency at the project cost under the supervision of the State Forest Department.
- v. Afforestation on degraded forest land, to be selected elsewhere, measuring one and half times the area under safety zone shall also be done by the user agency at the project cost under the supervision of State Forest Department. Details of degraded forest like map with DGPS co-ordinates etc shall be furnished;
- vi. The Compensatory Afforestation (CA) shall be raised and maintained by the State Forest Department over the identified 9.00 Ha of degraded forest land in Kommipadu RF of Venkatagiri Range from the amount which has already been deposited by the user agency.
- vii. Details of the identified degraded forest land like, Map with DGPS co-ordinates, CA Scheme, etc for raising compensatory afforestation shall be furnished within 3 months from the date of this Stage-II approval;
- viii. Identified CA land and approved CA scheme shall not be changed without the prior approval of the Central Government;
- ix. Additional amount of the Net Present Value (NPV) of the diverted forest land if any, becoming due after revision of the same by the Hon'ble Supreme Court of India in future, shall be charged by the State Government from the User Agency.
- x. Adequate care shall be taken to check any rolling over of over-burden / dumps beyond diverted area and also check soil erosion caused due to mining activities;
- xi. Mining as well as transportation of the mined out material shall be restricted to day-time only;
- xii. User Agency shall obtain environmental clearance under the Environment (Protection) Act, 1986, if required;
- xiii. Mining shall be done as per the approved mining plan from the competent authority;
- xiv. Soil conservation measures shall be taken up at the cost of user agency;
- xv. No labour camps shall be established on the forest land. User Agency shall provide firewood preferably alternate fuel to the labourers and the staff working at the site so as to avoid any damage and pressure on the adjacent forest area;
- xvi. The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
- xvii. The reclamation work in the mining area shall be taken up by the user agency in a phased manner. Reclamation plan shall be prepared and submitted to the State Forest Department and the State Forest Department shall ensure that reclamation is being implemented in a phased manner;
- xviii. The consent of Andhra Pradesh State Pollution Control Board shall be obtained under Air and Water Act before commencement of mining operation;
- xix. A comprehensive monitoring shall be done at the end of five years to study the impact of mining. If it is found that the lessee has violated or is not complying with the stipulated conditions, then the approval given under the Forest (Conservation) Act, 1980 shall be revoked;
- xx. The Period of diversion of the said forest land under this approval shall be for a period of 10 years or co-terminus with the period of the mining lease proposed to be granted under the Mines and Minerals (Development and Regulation) amendment Act, 2015, or Rules framed there under whichever is earlier.

- xxi. The forest land proposed to be diverted shall under no circumstances be transferred or sublet to any other agency or Department or person without prior approval of the Central Government.
- xxii. The User Agency and the State Government shall ensure compliance to the all Acts, Rules, Regulations and Guidelines of the Ministry, for the time being in force, as applicable to the project.
- xxiii. The forest land shall not be used for any purpose other than those specified in the proposal and total forest area utilized for the project shall not exceed 16.19 ha (including safety zone area).
- xxiv. The User Agency shall submit the annual self compliance report in respect of the above conditions to the Regional Office of the Ministry and to the State Government;
- xxv. Any other conditions that the Additional Principal Chief Conservator of Forests (Central), Regional Office, Chennai may impose from time to time in the interest of afforestation, conservation and management of flora and fauna in the area, shall be complied by the user agency.
- xxvi. In case the land is not taken over by User Agency or the same is not used for the stipulated purpose within a period of two years from the date of Stage-II clearance, then the area shall be taken back by the Forest Department;
- xxvii. In the event of failure to comply with any of the above conditions the user agency is liable for penal action as decided by the Additional PCCF (Central), Regional Office, Chennai.
- xxviii. The Principal Chief Conservator of Forests & Head of Forest Force is directed to handover the forest land to the user agency only after withdrawal of the WP No.10836 of 2017 filed in the Hon'ble High Court of Telangana & Andhra Pradesh.

6. The Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, shall take further necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**G.ANANTHA RAMU
PRINCIPAL SECRETARY TO GOVERNMENT**

To

The Principal Chief Conservator of Forests & Head of Forest Force,
Andhra Pradesh, Guntur.

Copy to:

The Additional Principal Chief Conservator of Forests (Central)
Government of India, Ministry of Environment & Forests,
Regional Office, 1st and 2nd Floors,
Handloom Export promotion Council Building
34, Cathedral Garden Road, Nungambakkam, Chennai – 600034.

Sri. E. Panduranga Reddy,
Managing Partner
M/s. Amrutesh Mining Company,
Flat No.202, Sri Venkateswara Majestic,
Near Sairanga Theatre, Madhava Nagra Colony,
Miyapur, Hyderabad.

SF/SC

// FORWARDED :: BY ORDER //

SECTION OFFICER